DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post-office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled ADAPTIVE FILE READAHEAD TECHNIQUE FOR MULTIPLE READ STREAMS, the specification of which is attached hereto and identified by Cesari and McKenna File No. 112056-0145.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or (f), or §365(b), of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application that designated at least one country other than the United States of America, listed below:

<u>None</u>

I have also identified below any foreign application for patent or inventor's certificate filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

<u>None</u>

I hereby claim the benefit under Title 35, United States Code §119(e) of the following U.S. provisional application:
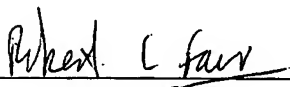
<u>None</u>

I hereby claim the benefit under Title 35, United States Code §120, of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between

the filing date of the prior application and the national or PCT international filing date of this application:

None.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Michael E. Attaya, Reg. No. 31,731; Michael J. Badzinski, Reg. No. 51,425; Charles J. Barbas, Reg. No. 32,959; James M. Behmke, Reg. No. 51,448; James A. Blanchette, Reg. No. 51,477; John L. Capone, Reg. No. 41,656; Robert A. Cesari, Reg. No. 18,381; Duane H. Dreger, Reg. No. 48,836; A. Sidney Johnston, Reg. No. 29,548;, Reg. No. 51,276; William A. Loginov, Reg. No. 34,863; John F. McKenna, Reg. No. 20,912; Martin J. O'Donnell, Reg. No. 24,204; Thomas C. O'Konski, Reg. No. 26,320; Edwin H. Paul, Reg. No. 31,405; Michael R. Reinemann, Reg. No. 38,280; Robert E. Rigby, Jr., Reg. No. 36,904; Rita M. Rooney, Reg. No. 30,585; and Patricia A. Sheehan, Reg. No. 32,301, Cesari and McKenna, LLP, 88 Black Falcon Avenue, Boston, MA 02210, and and Gary E. Ross, Reg. No. 29,431, Network Appliance, Inc., 495 East Java Drive, Sunnyvale, CA 94089, jointly, and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Stephen E. Kabakoff at (617) 951-22500. Please address all correspondence to Stephen E. Kabakoff.

_____   _____
Robert L. Fair   Date

Residence: 101 Threscher Court
Cary, NC 27513

Citizenship   United States of America

Post Office Address: Same as above